



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,404	08/22/2001	Chadd B. Levine	531-02	9837

7590 03/21/2005

William H. Eilberg, Esq.  
Three Bala Plaza  
Suite 501 West  
Bala Cynwyd, PA 19004

EXAMINER

HU, JINSONG

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 03/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/935,404

Applicant(s)

LEVINE, CHADD B.

Examiner

Jinsong Hu

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 30 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 8/17/04.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-58 are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-10 and 30-32, drawn to a system and method for grouping user based on their academic information, classified in class 715, subclass 745.
  - II. Claims 11-14 and 40-43, drawn to a system and method for providing information to users based on their location, classified in class 709, subclass 203.
  - III. Claims 15-17 and 44-46, drawn to a system and method for proving document to requested user over network, classified in class 707, subclass 9.
  - IV. Claims 18 and 47-49, drawn to a system and method for employing people from network, classified in class 705, subclass 11.
  - V. Claims 19-20 and 33-39, drawn to a system and method for collecting personal information over network, classified in class 709, subclass 232.

Art Unit: 2154

- VI. Claims 21-24 and 50-53, drawn to a system and method for selling merchandise over network, classified in 705, subclass 26.
- VII. Claims 25-27 and 54-56, drawn to a system and method for creating scrapbook for students over network, classified in class 707, subclass 7.
- VIII. Claims 28-29 and 57-58, drawn to a system and method for providing promotion or coupon over network, classified in class 705, subclass 14.

2. The inventions are distinct, each from the other because of the following reasons: Inventions I – VII are disclosed as different combinations which are not connected in design, operation or effect. These combinations are independent if it can be shown that (1) they are not disclosed as capable of use together, (2) they have different modes of operation, (3) they have different functions, or (4) they have different effects. (MPEP 806.04, MPEP 808.01).

In the instant case, invention I is directed to a method comprises the steps of accepting a query from different users concerning a particular course; invention II is directed to a method comprises the steps of providing a list of users to one or more users, who have an association with the location of origin; invention III is directed to a method comprises the steps of providing at least some of the documents related to the course to users; invention IV is directed to a method comprises the steps of storing a list

Art Unit: 2154

of users who wish to employ others; invention V is directed to a method comprises the steps of storing user's information in host computer; invention VI is directed to a method comprises the steps of matching sellers and buyers to consummate sales of the merchandize; invention VII is directed to a method comprises the steps of receiving scanned photograph uploaded to host computer; invention VIII is directed to a method comprises the steps of providing personalized discount coupon.

3. These inventions are distinct for the reasons given above, and the search required for each Group is different and not co-extensive for examination purpose. For example, the searches for the four inventions would not be co-extensive because these groups would require different searches on PTO's classification class and subclass as following:

(a) the Group I search (claims 1-10 and 30-32) would require use of search  
**Class 715, subclass 745.**

(b) the Group II search (claims 11-14 and 40-43) would require use of search  
**Class 709, subclass 203.**

(c) the Group III search (claims 15-17 and 44-46) would require use of search  
**Class 707, subclass 9.**

(d) the Group IV search (claims 18 and 47-49) would require use of search  
**Class 705, subclass 11.**

(e) the Group V search (claims 19-20 and 33-39) would require use of search  
**Class 709, subclass 232.**

Art Unit: 2154

(f) the Group VI search (claims 21-24 and 50-53) would require use of search

**Class 705, subclass 26.**

(g) the Group VII search (claims 25-27 and 54-56) would require use of search

**Class 707, subclass 7.**

(h) the Group VIII search (claims 28-29 and 57-58) would require use of search

**Class 705, subclass 14.**

4. Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 C.F.R. § 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a diligently-filed petition under 37 C.F.R. § 1.48(b) and by the fee required under 37 C.F.R. § 1.17(h).

5. Applicant is reminded that the required for response to this requirement is 30 days, not one month.

Art Unit: 2154


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (571) 272-3965. The examiner can normally be reached on 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jinsong Hu

March 18, 2005

 JOHN FOLLANSBEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER